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April 25, 2012

Via UPS Next Day Air

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601

RE: Deskovic v. City of Peekskill, et al., 07-CV-8150 (KMK)(GAY)
McGarr v. City of Peekskill, et al., 07-CV-9488(KMK)(GAY)

Dear Judge Karas,

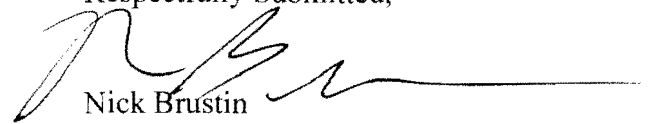
We write to advise the Court that counsel for Plaintiffs and counsel for Defendants the City of Peekskill, David Levine, Thomas McIntyre, and Eugene Tumolo have conferred pursuant to the Court's Order of April 14, 2012.¹ The parties have agreed to the following proposed schedule for responding to the pending motions for Summary Judgment by the Peekskill defendants, and respectfully request that the Court approve of this schedule.

Plaintiffs shall serve their opposition papers on the Court and all parties by August 17, 2012, and Defendants shall serve their replies to Plaintiffs' opposition on the Court and all parties by October 12, 2012. All will be filed on ECF on October 12, 2012 by the Peekskill defendants. This proposal accommodates all attorneys' schedules, including other briefing and trial obligations.

Thank you for your attention to this proposal.

¹ While this Order was only docketed in the *Deskovic* action, and not the *McGarr* action, the parties assume that the Court intended this same Order to be docketed in both actions. If our assumption was in error, we would appreciate guidance from the Court as to the appropriate next steps in the *McGarr* action.

Respectfully Submitted,


Nick Brustin

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*The proposed hearing schedule
discussed above is approved.
So ordered.
AK BJK
4/26/12*